

HOUSE BILL No. 1310

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-36-1.5-2; IC 25-1; IC 25-23.6.

Synopsis: Creates the drug and alcohol abuse section of the social worker, marriage and family therapist, mental health, and drug and alcohol abuse counselor board. Sets qualifications for a licensed drug and alcohol abuse counselor including a masters degree, passing an examination, and experience at drug and alcohol abuse counseling. Sets qualifications for a certified drug and alcohol abuse counselor including an associates degree, passing an examination, and experience at drug and alcohol abuse counseling. Provides that prohibitions on the unlicensed practice of drug and alcohol abuse counseling do not apply to physicians, nurses, psychologists, ministers, volunteers, or employees of a nonprofit organization under certain circumstances, marriage and family therapists, social workers, mental health counselors, and certified drug and alcohol abuse counselors practicing under direct supervision. Makes the unlicensed practice of drug and alcohol abuse counseling a Class A misdemeanor. Prohibits drug and alcohol abuse counselors from practicing hypnosis and from counseling
(Continued next page)

Effective: July 1, 1998.

Goeglein, C. Brown

January 13, 1998, read first time and referred to Committee on Public Health.



Digest continued

for the purpose of recovering a memory of child abuse. Makes conforming amendments. (The introduced version of this bill was prepared by the interim study committee on health and licensing issues.)

C
o
p
y



Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1310

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-36-1.5-2, AS AMENDED BY P.L.147-1997,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 2. As used in this chapter, "mental health
4 provider" means any of the following:

5 (1) A registered nurse or licensed practical nurse licensed under
6 IC 25-23.

7 (2) A clinical social worker licensed under IC 25-23.6-5.

8 (3) A marriage and family therapist licensed under IC 25-23.6-8.

9 (4) A psychologist licensed under IC 25-33.

10 (5) A school psychologist licensed by the Indiana state board of
11 education.

12 **(6) A drug and alcohol abuse counselor licensed under**
13 **IC 25-23.6-2.**

14 ~~(6)~~ (7) An individual who claims to be a mental health provider.

15 SECTION 2. IC 25-1-2-6, AS AMENDED BY P.L.253-1997(ss),
16 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 1998]: Sec. 6. (a) As used in this section, "license" includes



all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

- (1) Indiana board of accountancy.
- (2) Indiana grain buyers and warehouse licensing agency.
- (3) Indiana auctioneer commission.
- (4) Board of registration for architects.
- (5) State board of barber examiners.
- (6) State board of cosmetology examiners.
- (7) Medical licensing board of Indiana.
- (8) Secretary of state.
- (9) State board of dental examiners.
- (10) State board of funeral and cemetery service.
- (11) Worker's compensation board of Indiana.
- (12) Indiana state board of health facility administrators.
- (13) Committee of hearing aid dealer examiners.
- (14) Indiana state board of nursing.
- (15) Indiana optometry board.
- (16) Indiana board of pharmacy.
- (17) Indiana plumbing commission.
- (18) Board of podiatric medicine.
- (19) Private detectives licensing board.
- (20) State board of registration for professional engineers.
- (21) Board of environmental health specialists.
- (22) State psychology board.
- (23) Indiana real estate commission.
- (24) Speech-language pathology and audiology board.
- (25) Department of natural resources.
- (26) State boxing commission.
- (27) Board of chiropractic examiners.
- (28) Mining board.
- (29) Indiana board of veterinary medical examiners.
- (30) State department of health.
- (31) Indiana physical therapy committee.
- (32) Respiratory care committee.
- (33) Occupational therapy committee.
- (34) Social worker, marriage and family therapist, **and** mental health counselor, **and drug and alcohol abuse counselor** board.
- (35) Real estate appraiser licensure and certification board.



(36) State board of registration for land surveyors.

(37) Physician assistant committee.

(38) Indiana dietitians certification board.

(39) Indiana hypnotist committee.

(40) Any other occupational or professional agency created after June 30, 1981.

(c) Notwithstanding any other law, the entities included in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 3. IC 25-1-5-3, AS AMENDED BY P.L.147-1997, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. (a) There is established the health professions bureau. The bureau shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dental examiners (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32).

(10) Speech-language pathology and audiology board (IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).

(13) Controlled substances advisory committee (IC 35-48-2-1).

(14) Committee of hearing aid dealer examiners (IC 25-20).

(15) Indiana physical therapy committee (IC 25-27).

(16) Respiratory care committee (IC 25-34.5).

(17) Occupational therapy committee (IC 25-23.5).

(18) Social worker, marriage and family therapist, ~~and~~ mental health counselor, **and drug and alcohol abuse counselor** board



(IC 25-23.6).

(19) Physician assistant committee (IC 25-27.5).

(20) Indiana athletic trainers certification board (IC 25-5.1-2-1).

(21) Indiana dietitians certification board (IC 25-14.5-2-1).

(22) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the bureau policy making authority, which authority remains with each board.

SECTION 4. IC 25-1-7-1, AS AMENDED BY P.L.147-1997, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dental examiners (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15-9).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Indiana state board of health facility administrators (IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

(13) Indiana state board of nursing (IC 25-23-1).

(14) Indiana optometry board (IC 25-24).

(15) Indiana board of pharmacy (IC 25-26).

(16) Indiana plumbing commission (IC 25-28.5-1-3).



- (17) Board of podiatric medicine (IC 25-29-2-1).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2).
- (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (23) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- (24) Respiratory care committee (IC 25-34.5).
- (25) Private detectives licensing board (IC 25-30-1-5.1).
- (26) Occupational therapy committee (IC 25-23.5).
- (27) Social worker, marriage and family therapist, **and** mental health counselor, **and drug and alcohol abuse counselor** board (IC 25-23.6).
- (28) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (29) State board of registration for land surveyors (IC 25-21.5-2-1).
- (30) Physician assistant committee (IC 25-27.5).
- (31) Indiana athletic trainers certification board (IC 25-5.1-2-1).
- (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- (34) Any other occupational or professional agency created after June 30, 1981.

SECTION 5. IC 25-1-8-1, AS AMENDED BY P.L.147-1997, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dental examiners (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).



- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).
- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2-1).
- (22) Until July 1, 1996, Indiana state board of television and radio service examiners (IC 25-36-1).
- (23) Indiana board of veterinary medical examiners (IC 15-5-1.1-3).
- (24) Department of insurance (IC 27-1).
- (25) State police department (IC 10-1-1-1), for purposes of certifying polygraph examiners under IC 25-30-2.
- (26) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- (27) Private detectives licensing board (IC 25-30-1-5.1).
- (28) Occupational therapy committee (IC 25-23.5-2-1).
- (29) Social worker, marriage and family therapist, ~~and~~ mental health counselor, **and drug and alcohol abuse counselor** board (IC 25-23.6-2-1).
- (30) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (31) State board of registration for land surveyors (IC 25-21.5-2-1).
- (32) Physician assistant committee (IC 25-27.5).
- (33) Indiana athletic trainers certification board (IC 25-5.1-2-1).
- (34) Board of podiatric medicine (IC 25-29-2-1).
- (35) Indiana dietitians certification board (IC 25-14.5-2-1).
- (36) Any other occupational or professional agency created after June 30, 1981.

SECTION 6. IC 25-1-9-1, AS AMENDED BY P.L.147-1997, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dental examiners (IC 25-14-1).
- (3) Indiana state board of health facility administrators



- (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (13) Indiana physical therapy committee (IC 25-27-1).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, ~~and~~ mental health counselor, **and drug and alcohol abuse counselor** board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers certification board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 7. IC 25-23.6-1-2, AS AMENDED BY P.L.147-1997, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. "Board" refers to the social worker, marriage and family therapist, ~~and~~ mental health counselor, and **drug and alcohol abuse counselor** board.

SECTION 8. IC 25-23.6-1-3.8, AS ADDED BY P.L.147-1997, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3.8. Except as provided in IC 25-23.6-7-5, as used in this chapter, "counselor" refers to a social worker, clinical social worker, **drug and alcohol abuse counselor**, marriage and family therapist, or a mental health counselor who is licensed under this article.

SECTION 9. IC 25-23.6-1-3.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 3.9. "Drug and alcohol abuse counselor" means an individual engaged in the practice of drug and alcohol abuse counseling.**

SECTION 10. IC 25-23.6-1-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 6.5. "Practice of drug and alcohol abuse counseling" means applying or teaching theories, principles,**



1 **and techniques of chemical substance abuse counseling to**
 2 **individuals or groups.**

3 SECTION 11. IC 25-23.6-2-1, AS AMENDED BY P.L.147-1997,
 4 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 1998]: Sec. 1. The social worker, marriage and family
 6 therapist, ~~and~~ mental health **counselor, and drug and alcohol abuse**
 7 **counselor board is established.**

8 SECTION 12. IC 25-23.6-2-8, AS AMENDED BY P.L.147-1997,
 9 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 1998]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2
 11 establishing standards for the following:

12 (1) The competent practice of marriage and family therapy, social
 13 work, clinical social work, ~~and~~ mental health counseling, **and**
 14 **drug and alcohol abuse counseling.**

15 (2) The renewal of licenses issued under this article.

16 (3) Standards for the administration of this article.

17 (4) Continuing education requirements for an individual seeking
 18 renewal of licensure as a social worker, clinical social worker, ~~or~~
 19 marriage and family therapist, **or drug and alcohol abuse**
 20 **counselor.**

21 (5) The retention of patient records and reports by a counselor.

22 (6) The approval of continuing education providers, programs,
 23 courses, fees, and proof of course completion.

24 (b) The board shall establish fees under IC 25-1-8-2.

25 (c) The board shall do the following:

26 (1) Consider the qualifications of individuals who apply for a
 27 license under this article.

28 (2) Provide for examinations required under this article.

29 (3) Renew licenses under this article.

30 (4) Conduct proceedings under IC 25-1-9.

31 SECTION 13. IC 25-23.6-2-10.6 IS ADDED TO THE INDIANA
 32 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 1998]: **Sec. 10.6. (a) The drug and alcohol**
 34 **abuse counselor section of the board is established. The section**
 35 **consists of the following:**

36 (1) **Two (2) drug and alcohol abuse counselors appointed by**
 37 **the governor who are licensed under this article and who have**
 38 **at least five (5) years of experience as drug and alcohol abuse**
 39 **counselors.**

40 (2) **One (1) mental health counselor licensed under this article**
 41 **appointed by the mental health section of the board**
 42 **established by section 10.5 of this chapter.**



(3) Two (2) individuals appointed by the governor and recommended to the governor by a profit or nonprofit agency that employs at least five (5) licensed or certified drug and alcohol abuse counselors.

(b) Three (3) members of the drug and alcohol abuse counselor section constitute a quorum.

SECTION 14. IC 25-23.6-2-11, AS AMENDED BY P.L.147-1997, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 11. The social worker, marriage and family therapist, ~~and~~ mental health counselor, **and drug and alcohol abuse counselor** sections of the board shall do the following:

(1) Approve continuing education courses authorized under this article.

(2) Propose rules to the board concerning the practice of the profession regulated by each section.

(3) Other duties as directed by the board.

SECTION 15. IC 25-23.6-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]:

Chapter 12. Drug and Alcohol Abuse Counselor Licensure and Certification

Sec. 1. The board shall, with the advice of the drug and alcohol abuse counselor section, establish standards for the practice of drug and alcohol abuse counseling, including privileges, penalties, and appropriate scope of practice within the field of drug and alcohol abuse counseling for individuals licensed or certified as drug and alcohol abuse counselors.

Sec. 2. Except as provided in section 7 of this chapter, to qualify for a drug and alcohol abuse counselor license under this article, an individual must satisfy the following requirements:

(1) Complete an application for licensure in accordance with the rules adopted by the board.

(2) Pay the fees established by the board.

(3) Not have been convicted of a crime that has a direct bearing on the applicant's ability to practice competently as determined by the board.

(4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by the licensing agency of another state or jurisdiction on grounds that the applicant was unable to safely practice drug and alcohol abuse counseling with the grounds for discipline still valid as determined by the board.



1 (5) Show to the satisfaction of the board that the applicant
2 has:

3 (A) received at least a masters degree in counseling,
4 marriage and family therapy, pastoral counseling, social
5 work, applied human development, clinical psychology, or
6 nursing from an:

7 (i) institution of higher learning with degree programs
8 acceptable to the board; or

9 (ii) educational institution not located in the United
10 States that has a program of study that meets the
11 standards of the board;

12 (B) passed a certifying examination approved by the
13 board;

14 (C) successfully completed at least twelve (12) semester
15 hours of masters or post-masters level drug and alcohol
16 courses of which at least:

17 (i) fifteen (15) actual hours; or

18 (ii) one (1) semester hour;

19 has been completed not more than two (2) years before the
20 date of the application for the individual's initial drug and
21 alcohol abuse counselor license;

22 (D) completed a supervised practicum of at least three
23 hundred (300) hours in the drug and alcohol abuse
24 addiction treatment field under a licensed drug and alcohol
25 abuse counselor, a physician, a psychologist, a licensed
26 mental health counselor, or a licensed clinical social
27 worker in the five (5) years before the date of the
28 application for the individual's initial drug and alcohol
29 abuse counselor license; and

30 (E) completed at least six thousand (6,000) supervised
31 hours in the drug and alcohol abuse addiction treatment
32 field in the five (5) years before the date of the individual's
33 application for an initial drug and alcohol abuse counselor
34 license in the following functions:

35 (i) Intake.

36 (ii) Screening.

37 (iii) Orientation.

38 (iv) Clinical assessment.

39 (v) Treatment and planning.

40 (vi) Individual and group counseling.

41 (vii) Crisis intervention.

42 (viii) Client education.



(ix) Case management.

(x) Record keeping.

(xi) Consultation and referrals.

Sec. 3. Except as provided in section 7 of this chapter, to qualify for drug and alcohol abuse counselor certification under this article, an individual must satisfy the following requirements:

(1) Complete an application for certification in accordance with the rules adopted by the board.

(2) Pay the fees established by the board.

(3) Not have been convicted of a crime that has a direct bearing on the applicant's ability to practice competently as determined by the board.

(4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by the licensing agency of another state or jurisdiction on grounds that the applicant was unable to safely practice drug and alcohol abuse counseling with the grounds for discipline still valid as determined by the board.

(5) Show to the satisfaction of the board that the applicant has:

(A) received at least an associate's degree in counseling, marriage and family therapy, pastoral counseling, social work, applied human development, clinical psychology, nursing, or other degree program acceptable to the board from an:

(i) institution of higher learning with degree programs acceptable to the board; or

(ii) educational institution not located in the United States that has a program of study that meets the standards of the board;

(B) passed a certifying examination approved by the board;

(C) completed a supervised practicum of at least two hundred twenty (220) hours in the drug and alcohol abuse addiction treatment field under a licensed drug and alcohol abuse counselor, a physician, a psychologist, a licensed mental health counselor, or a licensed clinical social worker in the five (5) years before the date of the application for the individual's initial drug and alcohol abuse counselor certification; and

(D) completed at least four thousand (4,000) supervised hours in the drug and alcohol abuse addiction treatment



field in the five (5) years before the date of the individual's application for an initial drug and alcohol abuse counselor license in the following functions:

- (i) Intake.
- (ii) Screening.
- (iii) Orientation.
- (iv) Clinical assessment.
- (v) Treatment and planning.
- (vi) Individual and group counseling.
- (vii) Crisis intervention.
- (viii) Client education.
- (ix) Case management.
- (x) Record keeping.
- (xi) Consultation and referrals.

Sec. 4. (a) This section does not apply to the following:

- (1) A physician licensed under IC 25-22.5.
- (2) A nurse licensed under IC 25-23.
- (3) A psychologist licensed under IC 25-33.
- (4) A minister, volunteer, or employee of a nonprofit organization providing charitable, religious, or educational assistance or giving pastoral counseling.
- (5) A marriage and family therapist, a social worker, or a mental health counselor credentialed under this article.
- (6) A certified drug and alcohol abuse counselor practicing under the direct supervision of:
 - (A) a drug and alcohol abuse counselor or a mental health counselor licensed under this article;
 - (B) a clinical social worker credentialed under this article;
 - (C) a physician licensed under IC 25-22.5; or
 - (D) a psychologist licensed under IC 25-33;
 unless the certified drug and alcohol abuse counselor conducts testing for appraisal or evaluation purposes.

(b) An individual may not:

- (1) engage in the practice of drug and alcohol abuse counseling; or
- (2) profess to be or use words, letters, abbreviations, or insignia indicating that the individual is a drug and alcohol abuse counselor;

unless the individual is a drug and alcohol abuse counselor licensed under this chapter.

(c) An individual who knowingly or intentionally violates this section commits a Class A infraction.



1 **Sec. 5. (a) A license or certification issued by the board is valid**
 2 **for the remainder of the renewal period in effect on the date the**
 3 **license or certification was issued.**

4 **(b) An individual may renew a license or certification by:**

5 **(1) paying a renewal fee on or before the expiration date of**
 6 **the license; and**

7 **(2) completing the continuing education requirements**
 8 **established by the board under IC 25-23.6-2-8.**

9 **(c) If an individual fails to meet the requirements of subsection**
 10 **(b), the license or certification becomes invalid.**

11 **Sec. 6. (a) The board may reinstate an expired license or**
 12 **certification up to three (3) years after the expiration date of the**
 13 **license or certification if the individual holding the expired license**
 14 **or certification:**

15 **(1) pays a penalty fee for late renewal;**

16 **(2) pays the renewal fee under section 5(b) of this chapter;**
 17 **and**

18 **(3) completes the continuing education requirement.**

19 **(b) If more than three (3) years have elapsed since the date a**
 20 **license or certification expired, the individual holding the license**
 21 **or certification may renew the license or certification by satisfying**
 22 **the requirements for renewal established by the board.**

23 **Sec. 7. An applicant may, upon the payment of a fee established**
 24 **by the board, be granted a license or certification if the applicant**
 25 **submits satisfactory evidence to the board that the applicant has**
 26 **been authorized to practice drug and alcohol abuse counseling in**
 27 **another state or country and has qualifications substantially**
 28 **equivalent to those specified in this chapter for the license or**
 29 **certification sought by the applicant.**

30 **Sec. 8. Licensed or certified drug and alcohol abuse counselors**
 31 **may not practice:**

32 **(1) counseling for the purpose of recovering a memory of**
 33 **child abuse or other similar condition unless the individual is**
 34 **licensed in a discipline that is permitted to engage in such**
 35 **counseling; or**

36 **(2) hypnosis unless the counselor is certified under IC 25-20.5.**

37 **SECTION 16. [EFFECTIVE JULY 1, 1998]: (a) As used in this**
 38 **SECTION, "board" means the social worker, marriage and family**
 39 **therapist, mental health counselor, and drug and alcohol abuse**
 40 **counselor board established under IC 25-23.6-2-1.**

41 **(b) Notwithstanding IC 25-23.6-12, as added by this act, the**
 42 **board established under IC 25-23.6-2-1 may license an individual**

C
O
P
Y



as a drug and alcohol abuse counselor if the individual:

(1) is credentialed:

(A) under IC 25-23.6 as a clinical social worker, mental health counselor, or marriage and family therapist; or

(B) under IC 25-33 as a psychologist;

and has completed a practicum approved by the drug and alcohol section of the board of at least three hundred (300) hours of drug and alcohol abuse counseling;

(2) has:

(A) a bachelor's degree;

(B) at least five (5) years of experience in drug and alcohol abuse counseling; and

(C) completed a practicum approved by the drug and alcohol abuse counseling section of the board of at least three hundred (300) hours of drug and alcohol abuse counseling; or

(3) has:

(A) at least seven (7) years of drug and alcohol abuse counseling experience; and

(B) completed a practicum of at least two hundred and twenty (220) hours of drug and alcohol abuse counseling.

(c) This SECTION expires July 1, 2000.

C
O
P
Y

